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U.S. DISTRICT COURT, E.D.N.Y.

★ APR 06 2006 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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UNITED STATES

05-CR-192

against

LOUIS EPPOLITO and
STEPHEN CARACAPPA

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APPENDIX A: Verdict Form

APPENDIX B: List of Government's Admitted Exhibits

APPENDIX C: List of Defendant Caracappa's Admitted Exhibits

APPENDIX D: List of Defendant Eppolito's Admitted Exhibits

APPENDIX E: List of Government's Witnesses

APPENDIX F: List of Defendant Caracappa's Witnesses

APPENDIX A: VERDICT FORM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

Cr. No. 05-192 (JBW)

LOUIS EPPOLITO and
STEPHEN CARACAPPA,

Defendants.

-x

COUNT ONE: RACKETEERING CONSPIRACY OFFENSE

The defendants have been charged with racketeering conspiracy. You have already been instructed on the law as it pertains to racketeering conspiracy. Do you find that the defendants agreed to participate in the conduct of the affairs of an enterprise?

Defendant Eppolito

Yes

No.

Defendant Caracappa

Yes

You are to indicate whether you find "proved" or "not proved" the defendant's agreement to participate in the charged racketeering acts.

Racketeering Act One: (Israel Greenwald)

A. Kidnaping Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved _____
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved _____

B. Kidnaping (Aiding and Abetting Kidnaping)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved _____
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved _____

C. Murder Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved _____
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved _____

D. Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved _____
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved _____

E. Murder for Hire

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved _____
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved _____

Racketeering Act Two: (James Hydell)

A. Kidnaping Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Kidnaping (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

C. Murder Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

D. Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Three: (Nicholas Guido)

A. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

Racketeering Act Four: (Bribery from 1987-1993)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

Racketeering Act Five: (An Individual)

A. Murder Conspiracy

Defendant Eppolito Proved Not Proved _____

B. Murder (Aiding and abetting)

Defendant Eppolito Proved Not Proved _____

Racketeering Act Six: (John "Otto" Heidel)

A. Tampering with a Witness, Victim or Informant
(Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

B. Retaliating Against a Witness, Victim or Informant
(Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

C. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

D. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

Racketeering Act Seven: (Obstruction of Justice regarding information about John "Otto" Heidel)

Defendant Eppolito Proved Not Proved _____

Defendant Caracappa Proved Not Proved _____

Racketeering act Eight: (Obstruction of Justice regarding information about Peter Savino)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Nine: (Dominic Costa)

A. Retaliating Against a Witness, Victim or Informant
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Tampering with a Witness, Victim or Informant
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Ten: (Anthony Dilapi)

A. Criminal Faciliation (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Eleven (Obstruction of Justice regarding information about Casso and Amuso's impending arrests)

A. Obstruction of Justice - Vic Amuso
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Obstruction of Justice - Anthony Casso
(Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Twelve (Bruno Facciola)

A. Criminal Facilitation (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Depraved Indifference Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Thirteen: (Edward Lino)

A. Murder Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Murder (Aiding and Abetting)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

C. Murder for Hire

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Fourteen: (Herman Tabak)

A. Murder Conspiracy

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

B. Tampering with a Witness, Victim or Informant

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
Defendant Caracappa	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>

Racketeering Act Fifteen: (Conspiracy to Engage in Unlawful Monetary Transactions)

Defendant Eppolito	Proved <input checked="" type="checkbox"/>	Not Proved <input type="checkbox"/>
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Racketeering Act Sixteen: (Money Laundering)

Defendant Eppolito Proved Not Proved

Racketeering Act Seventeen: (Narcotics Conspiracy/ Distribution)

A. Narcotics Conspiracy

Defendant Eppolito Proved Not Proved

Defendant Caracappa Proved Not Proved

B. Narcotics Distribution (Aiding and Abetting)

Defendant Eppolito Proved Not Proved

Defendant Caracappa Proved Not Proved

Do you find that the conspiracy charged in Count One ended prior to March 9, 2000?

Yes _____

No

If you have answered "yes," you must find the defendants NOT GUILTY of COUNT ONE. Indicate whether you find the each defendant "guilty" or "not guilty" of the conspiracy charged in count one:

LOUIS EPPOLITO: Guilty Not Guilty _____

STEVEN CARACAPPA: Guilty Not Guilty _____

COUNT TWO: (Money Laundering)

Indicate whether you find the defendant Eppolito "guilty" or "not guilty" of this charge:

Guilty Not Guilty

COUNT THREE: (Narcotics Conspiracy)

Indicate whether you find the defendants "guilty" or "not guilty" of this charge:

Defendant Eppolito: Guilty Not Guilty

Defendant Caracappa: Guilty Not Guilty

If you found either defendant guilty of Count Three:

(A) Did the conspiracy charged in Count Three involve methamphetamine?

Yes No

(B) If "yes," did the conspiracy charged in Count Three involve more than five grams of methamphetamine?

Yes No

COUNT FOUR: (Narcotics Distribution) (Aiding and Abetting)

Indicate whether you find the defendants "guilty" or "not guilty" of this charge:

Defendant Eppolito: Guilty Not Guilty

Defendant Caracappa: Guilty Not Guilty

If you found either defendant guilty of Count Four:

(A) Did offense charged in Count Four involve methamphetamine?

Yes No

(B) If "yes," did the offense charged in Count Four involve more than five grams of methamphetamine?

Yes No

Jury Foreperson